

## **REMARKS**

This amendment is being filed as a response to the Office Action of April 2, 2009. Reconsideration is respectfully requested in view of these clarifying amendments and remarks.

### **Allowable Subject Matter**

The Examiner is thanked for the allowable subject matter of claims 3, 5-10, 12-17, 19-24, and 26.

Applicants note that independent claims 1 and 25 have been amended to include subject matter of claim 3. Claims 1 and 25 now define determining the satisfaction of an unimplemented method condition [previously referred to as the third condition], the unimplemented method condition being defined by the second class type having same unimplemented methods as the first class type, wherein determining the unimplemented method condition enables the runtime representation of the second class type to use the first loader independent part of the runtime representation of the first class type. In the Examiner's Statement of Reason(s) for Allowance, the Examiner has asserted that "the cited prior arts of record, i.e. Berry, CZajkowski, taken alone or in combination, fail to teach or fairly suggest at least ... determining the satisfaction of a third condition, the third condition being defined by the second class type having the same unimplemented methods as the first class type" (page 5, 5<sup>th</sup> paragraph). Thus, claims 1 and 25 are believed to be patentable by virtue of such amendments.

**Rejections under 35 USC 101**

Claims 25 and 26 were rejected under 101 as the claims were directed to a non-statutory subject matter. Applicant respectfully requests that such rejection be removed in view of the amendments made hereinabove to claims 25 and 26 defining that the computer program is embodied on tangible computer readable medium (emphasis added).

Thus, all of the independent claims are deemed patentable. Moreover, the remaining dependent claims are further deemed patentable, in view of their dependence on such independent claims. The Applicants therefore respectfully request reconsideration and allowance of the pending claims. A Notice of Allowance is respectfully requested.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6920. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP337A).

Respectfully submitted,  
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